

Claim 1, as amended, is directed to an absorbent article comprising a reinforcement nonwoven joined immediately adjacent to an inner-facing surface (70B) of the backsheet (27) (as shown best in Figure 2A) and to at least one of either the rear ear panels or the front ear panels, the reinforcement nonwoven not substantially overlapping the containment assembly. (Emphasis added.) This reinforcement non-woven provides additional strength for the front or rear panels of the present invention.

Section 2131 of the MPEP states: "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM" (emphasis in original).

The Suzuki reference does not teach every element of claim 1, as amended. For example, the Suzuki reference does not teach the element d) of claim 1:

- (d) a reinforcement nonwoven joined immediately adjacent to an inner-facing surface of the backsheet and to at least one of either the rear ear panels or the front ear panels, the reinforcement nonwoven not substantially overlapping the containment assembly.

Rather, the Suzuki reference teaches away, by specifically teaching to join a back layer 15b to the topsheet 2 and not to the backsheet 3, as best shown in Fig 2 of the Suzuki reference.

Accordingly, the Zuzuki reference does not anticipate claim 1, as amended.

With respect to the dependent claims 2-10, depending from claim 1, because claim 1 is not anticipated by the Suzuki reference, the dependent claims 2-10, also are not anticipated by the Suzuki reference.

CONCLUSION

In light of the above amendment and remarks, applicants respectfully request that the Examiner reconsider and withdraw rejections and allow the pending claims 1-10.

Issuance of a Notice of Allowance at an early date is respectfully requested.

Respectfully submitted,

FOR: KOUICHI MIYAMOTO, ET AL.

By: Michael S. Kolodesh
Michael S. Kolodesh
Agent for Applicant
Registration No. 44,846
(513) 626-3426

October 03 2002

Customer No. 27752

AMENDED CLAIM MARKED UP TO SHOW CHANGES
SUBMITTED IN ACCORDANCE WITH 37 CFR 1.121(c)(1)(ii)
IN RESPONSE TO ADVISORY ACTION OF 09/10/2002

1. (Amended twice) An absorbent article having a longitudinal center line and a lateral centerline, comprising:
 - (b) a containment assembly having a rear waist region, a crotch region, a front waist region, a pair of longitudinal edges, a body facing surface and a garment facing surface opposite to the body facing surface, the containment assembly comprising a topsheet, a backsheet joined to the topsheet, an absorbent core positioned between the topsheet and the backsheet, and a pair of barrier leg cuffs having a proximal edge and a distal edge and being positioned adjacent to the longitudinal edges of the containment assembly;
 - (b) a pair of rear ear panels extending laterally outwardly from the proximal edges of the barrier leg cuff in the rear waist region;
 - (c) a pair of front ear panels extending laterally outwardly from the proximal edges of the barrier leg cuff in the front waist region; and
 - (d) a reinforcement nonwoven joined immediately adjacent to an inner-facing surface of the backsheet and to at least one of either the rear ear panels or the front ear panels, the reinforcement nonwoven not substantially overlapping the containment assembly.